



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

800 BAY ROAD
P.O. Box 778
DOVER, DELAWARE 19903

CAROLANN WICKS, P.E.
SECRETARY

MEMORANDUM

To: Governor Ruth Ann Minner
Members of the General Assembly

From: Carolann Wicks, Secretary CW

Date: January 23, 2008

Subject: US 113 North/South Study, Milford/Lincoln Area

The following report is hereby submitted to the Governor and General Assembly as required by the Epilogue Language to the 2007 Bond Bill with regards to the US 113 North/South Study in the Milford/Lincoln Area.

Background

In 1996 the General Assembly passed section 145 of Title 17 of the Delaware Code enabling the Department of Transportation to develop a program to protect corridors serving predominantly statewide and/or regional travel in the State. The law established a roadway nomination process and called for nominations of new corridors every three years through the Department's Statewide Long Range Transportation Plan. US 113 was proposed for inclusion in the original program and formally adopted in February 1997.

In 2000, the Delaware State Senate, with the strong backing of Sussex County government, adopted Senate Resolution No. 20, "calling upon the Delaware Department of Transportation to undertake the planning process for a new north-south limited access highway as an alternative to present routes SR 1, U.S. 13, and U.S. 113 through Sussex County." Completed in 2001, the *Sussex County North-South Transportation Feasibility Study* confirmed the feasibility of a north/south limited access highway through Sussex County and recommended that the US 113 corridor be studied for this purpose.

To the north, SR 1 between I-95 and the Dover Air Force Base (DAFB) is already limited access. Plans for limiting access on SR 1 from DAFB to the US 113 split and beyond have been established through the Corridor Capacity Preservation Program (CCPP). To the south, US 113 in Maryland is being reconstructed to eliminate most traffic signals to improve safety and enhance the capacity of the roadway to carry through traffic. US 113 between the Maryland state line and the southern border of Milford has been designated part of the CCPP, although no plan has yet been established. US 113 between SR 36 and SR 1, through the City of Milford, is the only portion of the corridor not within the CCPP.



Conflicts between through and local traffic are expected to increase as Sussex County's population and employment grow by about 60 percent over the next 30 years. This growth is especially focused in the towns along existing US 113. For example, over 8,000 dwelling units are in the approval/construction process in the Milford area alone as compared to fewer than 3,000 existing households in the city. Similar development activity is in the pipeline in Georgetown and Millsboro. That development will result in increased traffic along US 113 in Milford. As a result, three existing signalized intersections are anticipated to function at unacceptable levels of service in the coming years. Furthermore, continued development in the City and the surrounding area will require additional access points and traffic signals along US 113, resulting in greater potential for conflicts between through and local traffic. More crashes will likely result, and continued quality of life and economic growth in Sussex County, in large part dependent on an efficient transportation system, will deteriorate.

The purpose of the US 113 North/South Study has been to establish a continuous limited access facility from the Maryland state line northward through Sussex County to SR 1 near DAFB, thereby completing a limited access north-south intrastate corridor throughout the state of Delaware. As such, the study was conducted to identify potential alternative alignments that address existing and future transportation needs along the US 113 corridor while minimizing impacts to natural and historic resources, as well as the existing corridor. Specifically, in the Milford area, the purpose of the project is to preserve mobility for local residents and businesses while providing highway improvements that would accommodate the anticipated growth in local, seasonal, and through traffic.

Work conducted to date

Through the spring of 2007, the Department conducted a comprehensive study of the Milford/Lincoln area in an effort to identify a transportation solution that would meet the needs of the community and be acceptable to the environmental resource and regulatory agencies. The study has included traffic forecasting, detailed traffic modeling and simulation, and comprehensive research regarding the built and natural environment within the study area. There was also extensive public involvement in the form of six public workshops, an open house, 17 Milford Area Working Group meetings, and various individual community/civic association meetings. The Milford Area Working Group is comprised of 27 members representing a cross section of the residential and business communities in the Milford/Lincoln area. Further, the Department held more than 20 meetings with the environmental resource and regulatory agencies with the goal of recommending a preferred alternative for the area.

In the first half of 2007, the project stakeholders made the following recommendations:

- At the February 26 and 27 public workshops in Milford and Lincoln, those attendees who provided written comments on an alternative preference were split evenly (21 each) between no-build and an east bypass. Many attendees expressed their opposition to the eastern bypass through the Concerned Citizens of Greater Lincoln.
- At its final meeting on April 25, fifteen members of the Milford Area Working Group voted for the No-Build Alternative and eleven for an East Bypass Alternative. Neither alternative received the 21 votes needed for a formal Working Group recommendation as defined by the guidelines established by the Working Group at the onset of the study process.

- Through a series of meetings, the environmental resource and regulatory agencies expressed that the Green and Purple Alternatives are less environmentally damaging than all other build alternatives, including the Brown Alternative.

As a result of this extensive consultation, the Department announced on June 15, 2007 that the Green or Purple Alternative was recommended as the preferred alternative for the US 113 North/South Study in the Milford/Lincoln area. The Department reached this conclusion based on the following factors:

- The Department cannot ignore the development that has occurred in the Milford/Lincoln area and in Sussex County over the past several years and the development that is planned for the future. It is not a question of whether or not that development will occur, but when it will occur. For that reason, the No-Build Alternative was not recommended.
- The Green and Purple alternatives impact fewer properties than the other build alternatives.
- The Green and Purple alternatives have fewer and less severe natural environmental resource impacts than the other build alternatives.
- The Green and Purple alternatives have fewer anticipated impacts to historic resources than the other build alternatives.
- The East Bypass alternatives (Green, Purple, and Brown) are more consistent with the State's Livable Delaware initiatives than all other alternatives.
- The Green and Purple alternatives cost less than the other build alternatives.

Bond Bill

On July 1, 2007, the General Assembly passed Senate Bill 155, the Fiscal Year 2008 Bond Bill. The epilogue language of the bill states that DelDOT "shall be prohibited from proceeding with the US 113 South/North Improvements Project in the Lincoln and Milford area as proposed in the Department's Capital Transportation Program" and that the Department should "continue to work to achieve local consensus for an acceptable alignment corridor for the Milford/Lincoln project area."

In an attempt to achieve that consensus, the Department contacted each of the Milford Area Working Group members individually in early fall 2007 and was able to arrange meetings with all but two members. Of the 25 members participating in those meetings,

- 18 members support a build alternative, with 15 supporting an East Bypass Alternative, one a West Bypass Alternative, and two a modification of the On-Alignment (Yellow) Alternative. Some of these members originally voted for the No-Build Alternative only because there was no guarantee of immediate funding for right of way acquisition. Further, 13 members do not see any benefit to evaluating a modified On-Alignment Alternative. Simply, a modified On-Alignment Alternative still has significant impacts, although less impacts than the original On-Alignment Alternative, and does not address the long-term transportation needs for this area.
- Six members support the No-Build Alternative.
- One member did not express a preference.

It became clear from the Working Group members' opinions that *there is no community consensus for a compromise alternative. Therefore, DelDOT will not be continuing the US 113 North/South Study in the Milford/Lincoln area.*

Conclusion and next steps

Although US 113 remains the spine of Sussex and southern Kent Counties, there is not sufficient community support to undertake needed improvements to this important corridor in the Milford area at this time. As a result, planned economic growth and increasing local, seasonal, and through traffic will not be adequately accommodated in the future. The following will likely happen by 2030 due to a lack of capacity improvements:

- Travel time will increase by 70 percent.
- It will take more than five times as long to turn left onto or cross US 113 at locations without signals (2 minutes vs. 20 seconds).
- At some locations, it will take eight times as long to turn left from US 113 at locations without signals (2 minutes vs. 15 seconds).
- Traffic at seven of ten traffic signals in the Milford area will become congested, creating delays, compromising safety, harming the economy and degrading air quality.

The opportunity to provide a bypass around the rapidly growing Milford area will likely not exist in the future due to development. As a result, continuing traffic growth along US 113 will likely result in actions to address congestion and safety issues on the existing alignment, such as closing crossovers and prohibiting left turns. In the long term, these measures will create access restrictions on existing US 113 that were strongly opposed by the Milford Area Working Group and the City of Milford throughout the study process.

In the absence of improvements to the US 113 corridor, it is more critical than ever that we all recognize the linkage between land use decisions made at the local level and their transportation consequences for the State of Delaware.

CW:mhw

cc: John C. Carney, Jr., Lieutenant Governor
Russell T. Larson, Controller General
Jennifer Davis, OMB Director
Frederick H. Schranck, Deputy Attorney General
Robert Taylor, Chief Engineer
Kathy English, Director, Finance
Darrel Cole, Director, Public Relations
Terry Gorlich, Legislative Liaison, Public Relations
Ralph Reeb, Director, Planning
Michael H. Simmons, Assistant Director, Transportation Solutions
Donald A. Plows, Group Engineer, Transportation Solutions
Monroe C. Hite, III, Project Manager, Transportation Solutions

Attachments:

1. List of Milford Area Working Group Members
2. Summary of Community Involvement
3. Epilogue Language from 2007 Bond Bill
4. Letter Dated August 22, 2007 to Milford Area Working Group Members
5. Map of Alternatives Retained for Detailed Study in the Milford Area

Attachment 1

List of Milford Area Working Group Members

1. Scott Adkisson, Milford businessman
2. Robert D. Burris, Burris Logistics
3. I.G. Burton III, businessman, auto dealerships on US 113, member of the Council on Transportation, member of the Sussex County Planning and Zoning Commission
4. Richard Carmean, City Manager, City of Milford
5. F. Brooke Clendaniel, board member, Milford Historical Society, historian, realtor, land owner
6. Mark Davis, Delaware Department of Agriculture
7. David Edgell, Office of State Planning Coordination
8. Terry Feinour, Bayhealth Medical Center
9. Scott Fitzgerald, Fitzgerald's Auto Salvage, land owner
10. Connie Fox, farmer, Realtor
11. Dean Geyer, Milford resident, former owner of Geyer's Restaurant on US 113
12. Wyatt Hammond, Milford Chamber of Commerce, Transportation Committee; President, Trans Products and Trans Services
13. E. Keith Hudson, Milford Police Chief
14. Ed Kee, Lincoln area resident, member of the Council on Transportation
15. Carl King, Jr., farmer, Lincoln
16. Lawrence Lank, Director, Sussex County Planning and Zoning Commission
17. Barry Munoz, Complex Manager, Perdue Farms, Inc.
18. Mark S. Mallamo, Milford City Engineer and resident
19. Randy E. Marvel, Chairman Milford Planning Commission, Realtor, member of the Livable Delaware Advisory Committee
20. David Mick, Carlisle Volunteer Fire Company
21. Michael Petit de Mange, Kent County Administrator (former Director, Kent County Department of Planning Services)
22. Skip Pikus, Downtown Milford Incorporated
23. Ronnie Robbins, farmer, Sussex County Farm Bureau
24. Mike Simmons, Assistant Director, Project Development (South Region), DelDOT
25. Glen F. Stevenson, Transportation Supervisor, Milford School District
26. Elliott Workman, Delaware Nature Society, Abbott's Mill Nature Center
27. Bruce Wright, First State Community Action Agency

Attachment 2

Summary of Community Involvement

DelDOT used a number of techniques to involve the community and gained widespread citizen participation in the US 113 North/South Study. A summary of these activities follows:

- The project team interviewed 175 local stakeholders throughout the US 113 corridor at the beginning of the study.
- A 27 person Milford Area Working Group, composed of residents from Milford and Lincoln and representatives of state and local government agencies, was formed and met 17 times between February 24, 2004 and April 25, 2007.
- All Working Group meetings were public meetings, and most meetings were attended by citizens from the area and covered by the local press. Meetings were held in the evening to accommodate citizen attendance.
- Six public workshops (October 2003, June 2004, November 2004, June 2005, June 2006, and February 2007) and an Open House (October 2005) were held and attended by nearly 2,000 people.
- About 700 people provided written comments through the workshop comment forms and email messages.
- A project website was created in Summer 2003 and updated continuously, making extensive information available to the public about the project, particularly the Alternatives Retained for Detailed Study. Through October 2007, the website had over 1.8 million hits.
- A number of meetings were held with business, civic and state, county and municipal elected officials.
- A project video, “The Time to Act is Now,” was prepared, shown to local groups and distributed as requested.

Attachment 3

Epilogue Language from 2007 Bond Bill

Senate Bill 155 Section 122, US 113 South/North Improvements:

- (a) The Department of Transportation shall be prohibited from proceeding with the US 113 South/North Improvements Project in the Lincoln and Milford area as proposed in the Department's Capital Transportation Program.
- (b) The General Assembly urges the Department to continue to work to achieve local consensus for an acceptable alignment corridor for the Milford/Lincoln project area, taking into account the legitimate concerns raised by this community and the needs of the State for regional traffic flow. This may include revisiting other alignments while seeking congressional assistance to ensure the selected alternative will receive Federal and State resource agency concurrence and permits. The support of the Milford/Lincoln project area community will be necessary to seek this congressional assistance. The Department of Transportation shall be required to report back on the progress of this corridor to the Governor and members of the General Assembly no later than January 31, 2008. This language in no way will limit the Department of Transportation's authority to complete the environmental documentation and seek Federal approvals for all of US 113 South/North Improvements excluding the Lincoln and Milford area.

Attachment 4

Letter Dated August 22, 2007 to Milford Area Working Group Members

August 22, 2007

Dear Milford Area Working Group Member:

You may be aware of the events that have occurred since we last met on April 25, but if not, I am including epilogue language from Senate Bill 155 (passed on July 1), creating the Bond and Capital Improvements Act of the State of Delaware for the fiscal year ending June 30, 2008. Specifically, Section 122, US 113 South/North Improvements, states:

- (a) The Department of Transportation shall be prohibited from proceeding with the US 113 South/North Improvements Project in the Lincoln and Milford area as proposed in the Department's Capital Transportation Program.
- (b) The General Assembly urges the Department to continue to work to achieve local consensus for an acceptable alignment corridor for the Milford/Lincoln project area, taking into account the legitimate concerns raised by this community and the needs of the State for regional traffic flow. This may include revisiting other alignments while seeking congressional assistance to ensure the selected alternative will receive Federal and State resource agency concurrence and permits. The support of the Milford/Lincoln project area community will be necessary to seek this congressional assistance. The Department of Transportation shall be required to report back on the progress of this corridor to the Governor and members of the General Assembly no later than January 31, 2008. This language in no way will limit the Department of Transportation's authority to complete the environmental documentation and seek Federal approvals for all of US 113 South/North Improvements excluding the Lincoln and Milford area.

As you can see, the Department has been directed to continue looking for a solution that achieves local support in the Milford/Lincoln area. In doing so, it remains our goal to find a solution that not only enjoys local support, but that effectively meets current and future transportation needs and can be permitted by the environmental agencies.

We would appreciate your assistance in developing that solution for the long-term transportation needs in the Milford/Lincoln area. I will contact each of you within the next few weeks to discuss where we stand and solicit your thoughts on ways the Department might proceed to solve these transportation challenges while achieving local support.

Thank you for your continued assistance.

Sincerely,

Monroe C. Hite, III
Project Manager

cc: Representative V. George Carey
Carolann Wicks, Secretary
Darrel Cole, Director of Public Relations

Attachment 5
Map of Alternatives Retained for Detailed Study in the Milford Area

